

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

JOE C. ALLEN, JR., CAROL ANAGAL, CHERYL ARMENTA, DUANE ASPAAS, LEONTYNE ATCITY, LULA ATCITY, WILFORD ATSON, HILDA BALDWIN, AARON BARBER, DAISY BARBER AND LOUISE HENDERSON, PAUL BARBER, ROGER BARBER, ALICE BEGAY, ANDY BEGAY, ARLENE BEGAY, BERNITA BEGAY, BETTY BEGAY, CAROLINE BEGAY, CHARLENE BEGAY, ELIZABETH BEGAY, ERIC BEGAY, HELEN BEGAY, JACQUELINE L. BEGAY, JACQUELINE S. BEGAY, JONAH BEGAY, JUDY BEGAY, MAE BEGAY, MARYLITA BEGAY, ROY BEGAY, SANDRA BEGAY, VIRGINIA BEGAY, WAYNE BEGAY, CORLIVIA BEGAYE, ETTA BEGAYE, JENATHAN BEGAYE, RICHARD BEGAYE, LAURENCE BEKISE, ROBERT BEKISE, DAVID BEN, TIMOTHY BEN, RECHELLEDA BENALLIE, DINA BENALLY, ERNEST BENALLY, HARRY BENALLY, JEANNIE BENALLY, MAX BENALLY, NINA BENALLY, PEARLENE BENALLY, ROSE BENALLY, STEVE BENALLY, SUSAN BENALLY, WANDA BENALLY, LARENA BENN, LYNALLA BENN, SHIRLEY BIA, PRISCILLA BIGMAN, VERNIDA BISSONETTE, LORRAINE BLACK, MABLE BLACK, TAYLOR BLACK, TOM BLACKHORSE, ANNIE BLUEEYES, SCOTT BRADY, ANDREW BREWSTER, DARLENE BRONSTON, JANICE "TERRI" BROWN, JACKSON BUNNY, JR., ALBERT BYLILLY, HARRISON CATTLEMAN, JR., SAMMY CHARLEY, WILMA CHARLEY, DARRELL CLAH, BENJAMIN CLARK, MARY CLARK, TONI CLAW, LAHOMA CLY, STELLA CLY, DORIS COOLIDGE, JIMMIE COOLIDGE, WILBERT COWBOY, JR., ALFRED CURLEY, DON CURLEY, JR., MELVIN CURLEY, MARTHA CURTIS, KEE DAN, RACHEL DEE, DAVIDSON DEVORE, LUCY DICK, MARLENE DOBEY, ELTON DODGE, SUSIE DODGE, TOMMY DRAPER, BESSIE DUNCAN, CECIL DUNCAN, THURSTON EDDIE, HERMAN ENOAH, MARY ENOAH, VERNESE ESPLAIN, ALLEN E. AND BERTHA A. ETSITTY, HURON ETSITTY, RENA FASTHORSE, JANICE FRANK, SARAH FRANK, GENE FRED, LOREN GARNANEZ, SHALINA GRANDSON, JAMES GRANT, CRYSTAL GREY,

REYVETTE GREY, SHAWNA HAMM, JULIE HARRISON, MARGARET HARRISON AND SHERRELL G. MESA, HUBERT HARWOOD, EMERSON AND LORETTA HATATHLEY, ANITA HAYES, PERRY HAYES, ROBERT HAYES, ROBIN HAYES, WALLACE HAYES, ANNIE HENRY, ELSIE HENRY, FREDDIE HOBSON, JOANNE HOLLIDAY, TOM HORSE, DAISY HOUSER, HELEN HOWARD, HERMAN HUNT, IRITA JAMES, GARRY JAY, MARY AND EDDIE JAY, DANIEL JIM, DARRELL JIM, FANNIE MARIE AND CHARLEY JIM, GENEVA JIM, JONAH JIM, KYLE JIM, NORMAN JIM, SR., SHEILA JIM, VIRGINIA JIM, ELSIE JOE, LITA JOE, FRANK JOHN, JR., HERMAN JOHN, ANNE JOHNSON, HARRISON JOHNSON, JESSIE JOHNSON, JEAN JONES, LENA J. JONES, RAYMOND JONES, RENITA T. JONES, THERON JONES AND THE ESTATE OF LEON JONES, WESLEY JONES, DARREN KEE, JUANITA KEE, MAX KELLYWOOD, SR., FRANCINE KIEFERT, FLORENCE B. KING, MARLENA KING, TERRI LAMEMAN-AUSTIN, HARRY AND GLORIA LANE, ADA LANSING, JOHN LANSING, ALBERT H. LEE, EMERSON LEE, EVELYN M. LEE, LEONARD LEE, SR., MARIE LEE, MICHELLE A. LEE, ROSELYN LEE, MICHAEL N. LITTLE, ROWENA LITTLEHAT, IRENE LIVINGSTON, CARMELITA LOWE, CYNTHIA MADISON, MARY ANN MANYGOAT, ESTHER MARK, MAE MARTIN, GERALD MARYBOY, JAMES MASON, BEVERLY MAXWELL, WALLACE MCGILBERT, ESTATE OF ROSE MERRITT, ROSINA T. MERRITT, RON MILLER, EMMA MITCHELL, LAURA M. MITCHELL, LUCY B. MITCHELL, SYLVIA MITCHELL, MARILYN MUSTACHE, ANTHONY NABAHE, BETTY JONES NAKAI, HARRY S. NAKAI, JIMMY NAKAI, BYRON AND TONITA NELSON, PAULINE D. NELSON, RUBY NELSON, RUTH NEZ, ANNIE AND RAYMOND OLDMAN, BESSIE S. PELT, HARRY PESHLAKAI, SR., THOMAS PETE, RAYMOND PETTIGREW, CHARLES PHILLIPS, CHARLES D. PHILLIPS, DOROTHY PHILLIPS, MARY J. PHILLIPS, VERNON PHILLIPS, WILSON PHILLIPS, SHANDIE PIOCHE, SARAH POLICE, ESTHER REDDOOR AND CECILIA WALLACE, ELLA REDHOUSE, LUCY RENTZ, PHILLIP RENTZ, NELSON ROCKWELL, PERFINA ROCKWELL, RONNIE ROSS, THE ESTATE OF

WAYNE SALTWATER, LARRY B. SAM, BOBBY SANDOVAL, LULA SANDOVAL, SUSIE SCOTT, RAYMOND G. SELLS, ROGER SHAGGY, ROGER SHERMAN, BESSIE SHORTHAIR, DAVID SHORTHAIR, WADE SHORTHAIR, CELESTE SILAS, ELLA SILAS, MARILYN SILAS, RUBY B. SILAS, CHRISTINA SILENTMAN, JAMES SIMPSON, ROGER L. SIMPSON, GEORGE L. SISCO, JR., SARAH SLOWMAN, ERIC SMALLCANYON, TEDDY SMALLCANYON, ROSE ANN TANNER, BESSIE TESSWOOD, DORA TODACHEENE, JERRY TODACHEENE, LEWIS TODACHEENE, HERBERT TODACHEENIE, IRENE TODACHEENIE, CHARLIE N. TODACHINNIE, BERNADINE AND VINCENT TODECHENE, DOROTHY TODECHINE, FLORA TODECHINE, ROSELYN TOLEDO, HELEN TOM, SARAH A. TONY (BENALLY), MARY TSO, IVAN TYLER, THOMAS T. TYLER, PHYLLIS VALDEZ, ANNA VIGIL, JOHNSON WASHBURN, JR., JOHNSON WASHBURN, SR., ROSELYN WATCHMAN, CLARENCE D. WESTON, CORNELIA AND DELLA WESTON, HAROLD WILLIAMS, LENORA WILLIAMS, HERBERT WILLIE, LENA WILLIE, RAYMOND G. WILLIE, ESTHER A. YANITO, ALICE D. YAZZIE, CALVIN YAZZIE, EARL D. YAZZIE, IRVIN YAZZIE, JAY YAZZIE, LORENZO YAZZIE, MARIE YAZZIE, SUSIE YAZZIE

Plaintiffs,

Case No._____

v.

**UNITED STATES OF AMERICA,
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY; ENVIRONMENTAL
RESTORATION, LLC; KINROSS GOLD CORPORATION;
KINROSS GOLD U.S.A., INC.; SUNNYSIDE GOLD
CORPORATION; GOLD KING MINES
CORPORATION; WESTON SOLUTIONS, INC.;
SALEM MINERALS, INC.; and SAN JUAN CORP.**

Defendants.

COMPLAINT FOR PERSONAL INJURIES AND DAMAGES

Plaintiffs as set forth in the caption above (herein after collectively referred to as “Plaintiffs”) by and through their attorneys of record, Egolf + Ferlic + Harwood, LLC, and for their Complaint for Personal Injuries and Money Damages, states as follows:

INTRODUCTION

1. Plaintiffs are members of the Navajo Nation and residents of New Mexico, Colorado, Arizona and Utah. Plaintiffs farm land or raise livestock or both adjacent to the Animas River or San Juan River and depend upon these rivers for irrigation of their crops and livestock.
2. On the morning of August 5, 2015, the Defendant United States Environmental Protection Agency (“EPA”) and its contractors caused a blowout of the Gold King Mine while excavating it.
3. The blowout caused the release of at least three million gallons of contaminated water into Cement Creek which flows to the Animas and San Juan Rivers. The toxic waste water included dangerous contaminants such as arsenic and lead that were deposited along the Animas and San Juan Rivers.
4. EPA has conceded it is responsible for the spill and its impacts.
5. Plaintiffs experienced personal and property damage as a result of the negligence of EPA and the other Defendants in their causing of and mishandling of the Gold King Mine spill.
6. The Gold King Mine spill prevented Plaintiffs from using water from the Animas River and/or San Juan River to water their crops and care for their animals. As a result, Plaintiffs were forced to locate alternative water sources at great expense of money, time and labor. Even

where Plaintiffs were able to locate alternative water sources, these were inadequate to irrigate crops and Plaintiffs lost all or most of their harvests. In addition, even where Plaintiffs were able to salvage some of their harvest, public stigma resulting from the spill resulted in Plaintiffs being unable to sell their crops and livestock or being forced to sell at vastly reduced prices.

7. The Plaintiffs also depended on the San Juan River for household and personal use. As a result of the Gold King Mine spill, Plaintiffs were unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement.

8. As members of the Navajo Nation, Plaintiffs have an enormous cultural and spiritual connection to the land and waters of the Animas River and San Juan Rivers. As a result of the spill, Plaintiffs have experienced great spiritual and emotional distress.

9. The claims herein are brought against the United States under the Federal Tort Claims Act (“FTCA”), 28 U.S.C. Section 2671 *et seq.* and 28 USC 1346(b)(1) for money damages as compensation for personal injury and property damage caused by the negligent and wrongful acts and omissions of employees of the United States Government while acting within the scope of their offices and employment, under circumstances where the United States, if a private person, would be liable to the Plaintiffs in accordance with the laws of the State of New Mexico. 28 U.S.C. § 1346(b)(1).

10. Each of the Plaintiffs have submitted a claim to EPA for personal and property damages, in an amount to be determined at trial, arising out of the release. Attached as Exhibit A to this Complaint are copies of the claims submitted by Plaintiffs to EPA.

11. More than six months have elapsed since the filing of the Plaintiffs’ individual claims and EPA has not issued a Final Decision on any of the Plaintiffs’ claims.

12. Each of the Plaintiffs have exhausted all administrative remedies pursuant to the FTCA and are entitled to proceed with this action in this Court. 28 U.S.C. § 2675(a).

JURISDICTION AND VENUE

13. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1346(b) because Plaintiffs have brought claims against the United States of America for personal injury and property damage/loss; 28 U.S.C. § 1346(b) provides that the district courts have exclusive jurisdiction of civil actions on such claims.

14. This Court has supplemental jurisdiction over Plaintiffs' claims against Defendants other than the United States pursuant to 28 U.S.C. § 1367 as those claims form part of the same case or controversy.

15. This Court also has jurisdiction over Plaintiffs' claims against Defendants other than the United States pursuant to 28 U.S.C. § 1332(a)(1) as the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different states given the fact that no Plaintiffs are citizens of the same state as any Defendants.

16. Venue is proper as to the non-federal defendants in the United States District Court for the District of New Mexico under 28 U.S.C. § 1391(b).

17. Under the FTCA, in cases involving tort claims against the United States, venue is proper in the district court where the Plaintiff resides or where the act or omission complained of occurred. 28 U.S.C. § 1402(b).

THE PARTIES

I. PLAINTIFFS

18. Plaintiffs are all members of the Navajo Nation residing on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. Common to all the Plaintiffs causes of action are damages associated with having to use alternative sources of water for household and personal use. As a result of the Gold King Mine spill, Plaintiffs were unable to

use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement.

19. Joe C. Allen, Jr. is a member of the Navajo Nation residing in Nenahnezad, San Juan County, New Mexico. Plaintiff farms land adjacent to the San Juan River and which depends upon the San Juan River as irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$80,040.16 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

20. Carol Anagal is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

21. Cheryl Armenta is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

22. Duane Aspaas is a member of the Navajo Nation residing in Shiprock, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

23. Leontyne Atcitty is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

24. Lula Atcitty is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also lost livestock from dehydration or drinking contaminated water. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

25. Wilford Atson is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$396,109.84 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

26. Hilda Baldwin is a member of the Navajo Nation residing in Fruitland, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

27. Aaron Barber is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends upon the San Juan River as irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$81,269.08 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

28. Daisy Barber and Louise Henderson are members of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiffs farm and raise livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost most or all of their harvest. Plaintiffs were unable to graze their livestock or let them drink from the river and had to purchase water and feed for them. Plaintiffs submitted a claim to the EPA on or about July 3, 2017 for \$153,036.52 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

29. Paul Barber is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

30. Roger Barber is a member of the Navajo Nation residing in Nenahnezad, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends upon the San Juan River as irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 23, 2017 for \$63,926 in

personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

31. Alice Begay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

32. Andy Begay is a member of the Navajo Nation residing in Cortez, Colorado. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

33. Arlene Begay is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and

property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

34. Bernita Begay is a member of the Navajo Nation residing in Shiprock, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

35. Betty Begay is a member of the Navajo Nation residing in Waterflow, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

36. Caroline Begay is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff resides on land adjacent to the San Juan River and uses water from the San Juan River for personal and household uses. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal

injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

37. Charlene Begay is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

38. Elizabeth Begay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 24, 2017 for \$730,759.28 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

39. Eric Begay is a member of the Navajo Nation residing in Five Star Junction, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

40. Helen Begay is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

41. Jacqueline L. Begay is a member of the Navajo Nation residing in Shiprock, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

42. Jacqueline S. Begay is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

43. Jonah Begay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

44. Judy Begay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

45. Mae Begay is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

46. Marylita Begay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

47. Roy Begay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

48. Sandra Begay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal

injury and property damages, in an amount to be determined at trial, arising out of the release.

The EPA has not issued a Final Decision on Plaintiff's claim.

49. Virginia Begay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

50. Wayne Begay is a member of the Navajo Nation residing in Red Mesa, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

51. Corlivia Begaye is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3,

2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

52. Etta Begaye is a member of the Navajo Nation residing in Halchita, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

53. Jenathan Begaye is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

54. Richard Begaye is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to

the EPA on or about July 3, 2017 for \$183,928 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

55. Laurence Bekise is a member of the Navajo Nation residing in Farmington and Upper Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$331,005.51 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

56. Robert Bekise is a member of the Navajo Nation residing in Upper Fruitland, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$166,355.88 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

57. David Ben is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property

damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

58. Timothy Ben is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$72,934.38 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

59. Rechelleda Benallie is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

60. Dina Benally is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before

August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

61. Ernest Benally is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$69,848.44 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

62. Harry Benally is a member of the Navajo Nation residing in Hogback Chapter, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 30, 2017 for \$295,003.75 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

63. Jeannie Benally is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 30, 2017 for \$81,772.07 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

64. Max Benally is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

65. Nina Benally is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

66. Pearlene Benally is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

67. Rose Benally is a member of the Navajo Nation residing in Nenahnezad, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends

on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$67,423.96 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

68. Steve Benally is a member of the Navajo Nation residing in Halchita, Utah. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

69. Susan Benally is a member of the Navajo Nation residing in Fruitland, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

70. Wanda Bennally is a member of the Navajo Nation residing in Hogback Chapter, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to

the EPA on or about July 30, 2017 for \$220,529.10 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

71. Larena Benn is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

72. Lynalla Benn is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

73. Shirley Bia is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 25, 2017 for \$327,710.80 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

74. Priscilla Bigman is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

75. Vernida Bissonette is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

76. Lorraine Black is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be

determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

77. Mable Black is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

78. Taylor Black is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

79. Tom Blackhorse is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or

before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

80. Annie BlueEyes is a member of the Navajo Nation residing in Nenahnezad, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 7, 2017 for \$88,530.16 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

81. Scott Brady is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$122,751.38 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

82. Andrew Brewster is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be

determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

83. Darlene Bronston is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

84. Janice "Terri" Brown is a member of the Navajo Nation residing in Hogback, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

85. Jackson Bunny, Jr. is a member of the Navajo Nation residing in Nenahnezad, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to

the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

86. Albert Bylilly is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

87. Harrison Cattleman, Jr. is a member of the Navajo Nation residing in Teec Nos Pos, Arizona. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

88. Sammy Charley is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be

determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

89. Wilma Charley is a member of the Navajo Nation residing in Farmington, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$501,047.60 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

90. Darrell Clah is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

91. Benjamin Clark is a member of the Navajo Nation residing in Teec Nos Pos, Arizona. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on

or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

92. Mary Clark is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and uses water from the San Juan River for personal and household uses. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

93. Toni Claw is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

94. Lahoma Cly is a member of the Navajo Nation residing in Monument Valley, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and

property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

95. Stella Cly is a member of the Navajo Nation residing in Hogback Area, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

96. Doris Coolidge is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

97. Jimmie Coolidge is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal

injury and property damages, in an amount to be determined at trial, arising out of the release.

The EPA has not issued a Final Decision on Plaintiff's claim.

98. Wilbert Cowboy, Jr. is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

99. Alfred Curley is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$163,337.02 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

100. Don Curley, Jr. is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

101. Melvin Curley is a member of the Navajo Nation residing in Teec Nos Pos, Arizona. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

102. Martha Curtis is a member of the Navajo Nation residing in Upper Fruitland, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$170,109.66 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on these claims.

103. Kee Dan is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

104. Rachel Dee is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

105. Davidson Devore is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

106. Lucy Dick is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

107. Marlene Dobey is a member of the Navajo Nation residing in Upper Fruitland, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

108. Elton Dodge is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$38,272 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

109. Susie Dodge is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

110. Tommy Draper is a member of the Navajo Nation residing in Nenehnezad, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also

was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$1,587,788.84 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

111. Bessie Duncan is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

112. Cecil Duncan a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

113. Thurston Eddie is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them.

Plaintiff also lost livestock from dehydration or drinking contaminated water. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

114. Herman Enoah is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

115. Mary Enoah is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

116. Vernese Esplain is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze

his livestock or let them drink from the river and had to purchase water and feed for them.

Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

117. Allen E. and Bertha A. Etsitty are member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiffs farm and raise livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost their harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiffs also had to sell their livestock at reduced prices. Plaintiffs submitted a claim to the EPA on or about July 3, 2017 for \$1,587,788.84 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

118. Huron Etsitty is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$1,586,216.32 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

119. Rena Fasthorse is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable

to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

120. Janice Frank is a member of the Navajo Nation residing in Halchita, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

121. Sarah Frank is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

122. Gene Fred is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on

or about July 3, 2017 for \$22,136 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

123. Loren Garnanez is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$134,667.40 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

124. Shalina Grandson is a member of the Navajo Nation residing Halchita, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

125. James Grant is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and

property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

126. Crystal Grey is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

127. Reyvette Grey is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

128. Shawna Hamm is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

129. Julie Harrison is a member of the Navajo Nation residing in Halchita, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

130. Margaret Harrison and Sherrell G. Mesa are members of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiffs farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost most or all of their harvest and were unable to graze their livestock or let them drink from the river and had to purchase water and feed for them. Plaintiffs also had to sell their livestock at reduced prices. Plaintiffs submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

131. Hubert Harwood is a member of the Navajo Nation residing in Upper Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$324,468 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

132. Emerson and Loretta Hatathley are members of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiffs reside on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiffs submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

133. Anita Hayes is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

134. Perry Hayes is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3,

2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

135. Robert Hayes is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 24, 2017 for \$273,774.62 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

136. Robin Hayes is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$363,044.16 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

137. Wallace Hayes is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$252,453.70 in

personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

138. Annie Henry is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

139. Elsie Henry is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

140. Freddie Hobson is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to

purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

141. Joanne Holliday is a member of the Navajo Nation residing in Halchita, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

142. Tom Horse is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

143. Daisy Houser is a member of the Navajo Nation residing in Fruitland, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and

property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

144. Helen Howard is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

145. Herman Hunt is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

146. Irita James is a member of the Navajo Nation residing in Waterflow, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$76,887.02 in personal

injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

147. Garry Jay is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

148. Mary and Eddie Jay are members of the Navajo Nation residing in Aneth, Utah. Plaintiffs reside on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiffs submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

149. Daniel Jim is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 30, 2017 for \$329,324.32 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

150. Darrell Jim is a member of the Navajo Nation residing in Upper Fruitland, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

151. Fannie Marie and Charley Jim are members of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiffs farm and raise livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost most or all of their harvest and were unable to graze their livestock or let them drink from the river and had to purchase water and feed for them. Plaintiffs submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

152. Geneva Jim is a member of the Navajo Nation residing in Upper Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$42,440 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

153. Jonah Jim is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

154. Kyle Jim is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about August 4, 2017 for \$70,966.68 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

155. Norman Jim, Sr. is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

156. Sheila Jim is a member of the Navajo Nation residing in Waterflow, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

157. Virginia Jim is a member of the Navajo Nation residing in Cahone Mesa, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

158. Elsie Joe is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

159. Lita Joe is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River

for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

160. Frank John, Jr. is a member of the Navajo Nation residing in Beclabito, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock and forced to purchase feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$760,390.60 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

161. Herman John is a member of the Navajo Nation residing in Kirtland, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

162. Anne Johnson is a member of the Navajo Nation residing in Waterflow, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff

was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

163. Harrison Johnson is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

164. Jessie Johnson is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$21,203.60 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

165. Jean Jones is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff

also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

166. Lena J. Jones is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also lost some of her livestock. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

167. Raymond Jones is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

168. Renita T. Jones is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them.

Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

169. Theron Jones and the Estate of Leon Jones. Theron Jones is and Leon Jones was a member of the Navajo Nation residing in Aneth, Utah. Plaintiffs farm and raise livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost most or all of their harvest and were unable to graze their livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell their livestock at reduced prices. Plaintiffs submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

170. Wesley Jones is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

171. Darren Kee is a member of the Navajo Nation residing in Teec Nos Pos, Arizona. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze

his livestock or let them drink from the river and had to purchase water and feed for them.

Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

172. Juanita Kee is a member of the Navajo Nation residing in Teec Nos Pos, Arizona. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

173. Max Kellywood, Sr. is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

174. Francine Kiefert is a member of the Navajo Nation residing in Farmington, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which

depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$147,103.12 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

175. Florence B. King is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

176. Marlena King is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

177. Terri Lameman-Austin is a member of the Navajo Nation residing in Farmington, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff

also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$200,399.64 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

178. Harry and Gloria Lane are members of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiffs farm on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost their harvest. Plaintiffs submitted a claim to the EPA on or about July 3, 2017 for \$228,840 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

179. Ada Lansing is a member of the Navajo Nation residing in Teec Nos Pos, Arizona. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

180. John Lansing is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3,

2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

181. Albert H. Lee is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

182. Emerson Lee is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$89,835.04 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

183. Evelyn M. Lee is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and

property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

184. Leonard Lee, Sr. is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

185. Marie Lee is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

186. Michelle A. Lee is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be

determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

187. Roselyn Lee is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

188. Michael N. Little is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

189. Rowena Littlehat is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also lost some of her livestock. Plaintiff submitted a claim to the EPA on or before

August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

190. Irene Livingston is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

191. Carmelita Lowe is a member of the Navajo Nation residing in Kirtland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$178,978.56 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

192. Cynthia Madison is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

193. Mary Ann Manygoat is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$86,152.10 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

194. Esther Mark is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

195. Mae Martin is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

196. Gerald Maryboy is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

197. Beverly Maxwell is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$81,757.12 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

198. James Mason is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$73,400.96 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

199. Wallace McGilbert is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan

River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

200. The Estate of Rose Merritt. Rose Merritt was a member of the Navajo Nation residing in Aneth, Utah. Plaintiff resided on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

201. Rosina T. Merritt is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

202. Ron Miller is a member of the Navajo Nation residing in Upper Fruitland, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate

his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in the amount of \$409,072.56, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

203. Emma Mitchell is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

204. Laura M. Mitchell is a member of the Navajo Nation residing Aneth, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

205. Lucy B. Mitchell is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property

damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

206. Sylvia Mitchell is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

207. Marilyn Mustache is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

208. Anthony Nabahe is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to

be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

209. Betty Jones Nakai is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

210. Harry S. Nakai is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

211. Jimmy Nakai is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

212. Byron and Tonita Nelson are members of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiffs farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate their crops and lost most or all of their harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$952,042.96 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

213. Pauline D. Nelson is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

214. Ruby Nelson is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

215. Ruth Nez is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$58,749.20 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

216. Annie and Raymond Oldman are members of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiffs farm and raise livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost most or all of their harvest and were unable to graze their livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell their livestock at reduced prices. Plaintiffs submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

217. Bessie S. Pelt is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

218. Harry Peshlakai, Sr. is a member of the Navajo Nation residing in Hogback Area, Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

219. Thomas Pete is a member of the Navajo Nation residing in Teec Nos Pos, Arizona. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also lost some of his livestock. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

220. Raymond Pettigrew is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$114,406.34 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

221. Charles Phillips is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

222. Charles D. Phillips is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest and/or was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

223. Dorothy Phillips is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be

determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

224. Mary J. Phillips is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

225. Vernon Phillips is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

226. Wilson Phillips is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

227. Shandie Pioche is a member of the Navajo Nation residing in Fruitland, New Mexico. Plaintiff on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

228. Sarah Police is a member of the Navajo Nation residing in Bluff, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

229. Esther RedDoor and Cecilia Wallace are members of the Navajo Nation residing in Bluff, Utah. Plaintiffs farm and raise livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost most or all of their harvest and were unable to graze their livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell their livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

230. Ella Redhouse is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also lost some of her livestock. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

231. Lucy Rentz is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

232. Phillip Rentz is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

233. Nelson Rockwell is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

234. Perfina Rockwell is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

235. Ronnie Ross is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$463,812.16 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

236. The Estate of Wayne Saltwater. Wayne Saltwater was a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farmed and raised livestock on land adjacent to the San Juan River and which depends on the San Juan River for

irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

237. Larry B. Sam is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

238. Bobby Sandoval is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

239. Lula Sandoval is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River

and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

240. Susie Scott is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

241. Raymond G. Sells is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

242. Roger Shaggy is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River

and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

243. Roger Sherman is a member of the Navajo Nation residing in San Juan, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$81,703 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

244. Bessie Shorthair is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$77,601.20 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

245. David Shorthair is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill,

Plaintiff was unable to irrigate his crops and lost most or all of his harvest and was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

246. Wade Shorthair is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

247. Celeste Silas is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

248. Ella Silas is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate

her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also lost some of her livestock. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

249. Marilyn Silas is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

250. Ruby B. Silas is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

251. Christina Silentman is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to

the EPA on or about July 3, 2017 for \$52,660.80 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

252. James Simpson is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$2,400 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

253. Roger L. Simpson is a member of the Navajo Nation residing in Lower Fruitland, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

254. George L. Sisco, Jr. is a member of the Navajo Nation residing in Halchita, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

255. Sarah Slowman is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on

the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

256. Eric Smallcanyon is a member of the Navajo Nation residing in Nenahnezad, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$317,347.12 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

257. Teddy Smallcanyon is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$14,620 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

258. Rose Ann Tanner is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff

was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

259. Bessie Tesswood is a member of the Navajo Nation residing in Upper Fruitland, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$159,579.76 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

260. Dora Todacheene is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

261. Jerry Todacheene is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also

was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

262. Lewis Todacheene is a member of the Navajo Nation residing in Teec Nos Pos, Arizona. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

263. Herbert Todacheenie is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

264. Irene Todacheenie is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine

spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell livestock at reduced prices. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$161,060.90 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

265. Charlie N. Todachinnie is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

266. Bernadine and Vincent Todechene are members of the Navajo Nation residing in Aneth, Utah. Plaintiffs farm and raise livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to irrigate their crops and lost most or all of their harvest and were unable to graze their livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell their livestock at reduced prices. Plaintiffs submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiffs' claim.

267. Dorothy Todechine is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends

on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

268. Flora Todechine is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them and lost some of her livestock. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

269. Roselyn Toledo is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

270. Helen Tom is a member of the Navajo Nation residing in Mexican Hat, Utah. Plaintiff resides on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to use the water for drinking, cooking, gardening and bathing and had to purchase and haul water for replacement.

Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

271. Sarah A. Tony (Benally) is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

272. Mary Tso is a member of the Navajo Nation residing in Montezuma Creek, Utah. Plaintiff farms raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

273. Ivan Tyler is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable

to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$101,091.08 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

274. Thomas Tyler is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$3,013,721.20 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

275. Phyllis Valdez is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

276. Anna Vigil is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell

her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

277. Johnson Washburn, Jr. is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$216,760.96 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

278. Johnson Washburn, Sr. is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$238,135.20 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

279. Roselyn Watchman is a member of the Navajo Nation residing in Waterflow, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in the amount of

\$113,743.98, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

280. Clarence D. Weston is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

281. Cornelia and Della Weston are members of the Navajo Nation residing in Aneth, Utah. Plaintiffs raise livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiffs were unable to graze their livestock or let them drink from the river and had to purchase water and feed for them. Plaintiffs submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

282. Harold Williams is a member of the Navajo Nation residing in Aneth, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell his livestock at reduced prices. Plaintiff submitted a claim to the EPA on or

before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

283. Lenora Williams is a member of the Navajo Nation residing in Upper Fruitland, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

284. Herbert Willie is a member of the Navajo Nation residing in Fruitland, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$34,594.48 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

285. Lena Willie is a member of the Navajo Nation residing in Upper Fruitland, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to

the EPA on or about July 3, 2017 for \$123,852.08 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

286. Raymond G. Willie is a member of the Navajo Nation residing Waterflow, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

287. Esther A. Yanito is a member of the Navajo Nation residing in Five Point Junction, Utah. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

288. Alice D. Yazzie is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate her crops and lost most or all of her harvest. Plaintiff also was unable to graze her livestock or let them drink from the river and had to purchase water and feed

for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

289. Calvin Yazzie is a member of the Navajo Nation residing in Nenahnezad, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$317,000 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

290. Earl D. Yazzie is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

291. Irvin Yazzie is a member of the Navajo Nation residing in Fruitland, New Mexico. Plaintiff farms and on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

292. Jay Yazzie is a member of the Navajo Nation residing in Kirtland, San Juan County, New Mexico. Plaintiff farms and raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff also was unable to graze his livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$41,636.38 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

293. Lorenzo Yazzie is a member of the Navajo Nation residing in Nenahnezad, San Juan County, New Mexico. Plaintiff farms on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to irrigate his crops and lost most or all of his harvest. Plaintiff submitted a claim to the EPA on or about July 3, 2017 for \$22,948.80 in personal injury and property damages arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

294. Marie Yazzie is a member of the Navajo Nation residing in Shiprock, San Juan County, New Mexico. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

295. Susie Yazzie is a member of the Navajo Nation residing in Halchita, Utah. Plaintiff raises livestock on land adjacent to the San Juan River and which depends on the San

Juan River for irrigation. As a result of the Gold King Mine spill, Plaintiff was unable to graze her livestock or let them drink from the river and had to purchase water and feed for them. Plaintiff also had to sell her livestock at reduced prices. Plaintiff submitted a claim to the EPA on or before August 3, 2017 for personal injury and property damages, in an amount to be determined at trial, arising out of the release. The EPA has not issued a Final Decision on Plaintiff's claim.

296. All the above-named Plaintiffs are properly joined in this action under Federal Rule of Civil Procedure Rule 20. Fed. R. Civ. P. 20.

II. DEFENDANTS

297. Defendant EPA is an agency of the United States responsible for maintaining and enforcing national standards under environmental laws and regulations, in consultation with state, tribal, and local governments. EPA may be served at its principal office located at 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460, or at the United States Attorney's Office for the District of New Mexico.

298. Defendant United States of America includes all agencies of the federal government, including EPA. As set forth in more detail above, each of the Plaintiffs have submitted a claim to EPA under the FTCA for personal and property damages, in an amount to be determined at trial, arising out of the release. More than six months have elapsed since the filing of the Plaintiffs' individual claims and EPA has not issued a Final Decision on any of the Plaintiffs' claims.

299. Defendant Environmental Restoration is a Missouri limited liability company with its principal office at 1666 Fabick Drive, Saint Louis, Missouri 63026. Its registered agent is "Corporation Service Company," located at 123 East Marcy Street, Suite 101 in Santa Fe, New

Mexico 87501. At all times relevant to this suit, Environmental Restoration was the Emergency and Rapid Response Services (ERRS) contractor for EPA at the Gold King and Red and Bonita Mines.

300. Defendant Gold King Mines Corporation is a Colorado Corporation with its principal office located at 729 Reese Street in Silverton, Colorado. It formerly owned Gold King Mine and was at relevant times responsible for managing discharges from the Sunnyside Mine and other neighboring mines.

301. Defendant Weston Solutions, Inc. (“Weston Solutions”) is a Pennsylvania corporation with headquarters at 1400 Weston Way, P.O. Box 2653, West Chester, Pennsylvania 19380. At all times relevant to this suit, Weston Solutions was the Superfund Technical Assessment and Response Team (“START”) contractor for EPA at the Gold King and Red and Bonita Mines. Its registered agent is Corporation Service Company, located at 123 East Marcy Street, Suite 101, Santa Fe, New Mexico 87501. At the time of the Gold King Mine spill, Weston Solutions was conducting business in New Mexico under contract to provide investigation, remediation, and restoration of abandoned oil and gas well sites and production facilities in New Mexico.

302. Defendant Salem Minerals, Inc. (“Salem Minerals”) is a Colorado corporation with headquarters at 15100 Foothill Rd., Golden, Colorado 80401. At all times relevant to this suit, based on information and belief, Salem Minerals owned or owns the mine that forms that basis of this complaint. Its registered agent is Todd C. Hennis, located at 15100 Foothill Rd., Golden, Colorado 80401. [The McDaniels Plaintiff Complaint includes Salem Minerals as a defendant, however, it seems that San Juan Corp is the actual owner of the Gold King Mine, not Salem Minerals.]

303. Defendant San Juan Corp. (“San Juan Corp.”) is a Colorado corporation with headquarters at 15100 Foothill Rd., Golden, Colorado 80401. Upon information and belief, at all times relevant to this action, San Juan Corp. owned and owns the Gold King Mine. Its registered agent is Todd C. Hennis, located at 15100 Foothill Rd., Golden, Colorado 80401.

304. Defendant Kinross Gold Corporation (“Kinross”) is a Canadian corporation with its principal office at 25 York Street, 17th Floor, Toronto, Ontario M5J 2V5, Canada. Kinross currently owns the Sunnyside Mine and neighboring properties near Silverton, Colorado, through its subsidiaries Kinross Gold U.S.A., Inc. and Sunnyside Gold.

305. Defendant Kinross Gold U.S.A., Inc. (“Kinross USA”) is a Nevada corporation with its principal office registered with the Colorado Secretary of State at 5075 S. Syracuse Street, 8th Floor, Denver, Colorado 80237. Kinross USA is a wholly-owned subsidiary of Defendant Kinross. Kinross USA directly owns Defendant Sunnyside Gold. On information and belief, during times relevant to this action, Kinross USA conducted business and had a registered agent for service of process in New Mexico.

306. Defendant Sunnyside Gold Corporation is a Delaware corporation with its principal office registered with the Colorado Secretary of State at 5075 S. Syracuse Street, 8th Floor, Denver, Colorado 80237. Sunnyside Gold owns the Sunnyside Mine and other properties near Silverton.

307. The Defendant corporations fit into two groups. The “Contractor Defendants” were EPA’s contractors for the negligent work at the Gold King Mine site: Environmental Restoration, Weston Solutions, and Harrison Western. The “Owner Defendants” were mine owners who generated the toxic waste and negligently created the dangerous conditions at the site: Kinross, Kinross USA, Sunnyside Gold and Gold King Corp.

GENERAL FACTUAL ALLEGATIONS APPLICABLE TO ALL CAUSES OF ACTION

Mining History and Early Reclamation Activity

308. The Gold King Mine is a former gold mine located in southwestern Colorado.

309. Beginning in 1959, the owner of the nearby Sunnyside Mine developed the “American Tunnel” as a drainage and ore transportation passage for the Sunnyside Mine. The American Tunnel was originally an exploratory tunnel into the Gold King vein system and provided a pathway for contaminated water to move from the Sunnyside Mine to the Gold King Mine.

310. In 1991, Defendant Sunnyside Gold owned the Sunnyside Mine and closed it, operating a treatment facility for its contaminated wastewater. In 1996, Sunnyside Gold signed a consent decree with the Colorado Department of Health and Environment purportedly allowing it to cease treating contaminated wastewater if it would undertake reclamation of other acid sources in the area.

311. Sunnyside Gold installed hydraulic bulkheads in the American Tunnel and other locations. The bulkheads blocked the drainage from the American Tunnel and reduced the discharge there but caused acid drainage to flood the Sunnyside Mine.

312. An “adit” is a horizontal passage into a mine. After the Sunnyside Mine bulkheads were installed in 1996, the toxic wastewater backed-up and entered the Gold King Mine causing it to discharge from the Gold King Mine Level 7 Adit.

313. In 2000, toxic wastewater from the Sunnyside Mine also began discharging from the nearby Mogul Mine. In 2003, Sunnyside Gold installed bulkheads at the Mogul Mine.

Relationship Between Owner Defendants

314. In 2003, Defendant Kinross acquired Sunnyside Gold and its assets, including the Sunnyside Mine. Upon information and belief, Kinross and Kinross USA controlled and directed Sunnyside Gold's activities at the Sunnyside Mine.

315. Upon information and belief, on May 1, 2003 Kinross provided a \$1,250,000 irrevocable letter of credit to the Colorado Division of Minerals and Geology as surety for its reclamation work at the American Tunnel, but later reduced and then eliminated the amount.

316. In 2002, Mr. Todd Hennis, the owner of the Mogul Mine, sued Sunnyside Gold for its wastewater impacts to the Mogul Mine, but dropped the lawsuit after Sunnyside Gold agreed to install bulkheads at the Mogul and neighboring Koehler Mine.

317. Upon information and belief, Sunnyside Gold transferred ownership of its water treatment facility and discharge permit for the American Tunnel to Gold King Corp. in January 2003. Gold King Corp. and its owner Mr. Steve Fearn became the operators of the facility.

318. Upon information and belief, the Colorado Department of Public Health and Environment Water Quality Control Division required Mr. Fearn to obtain a certification to operate the water treatment facility by June 30, 2004. Upon further information and belief, Sunnyside Gold's manager of reclamation activities was to supervise Mr. Fearn until he acquired the certification. Upon further information and belief, Mr. Fearn never obtained the certification, and use of the facility was discontinued. In 2004, Gold King Corp. filed for bankruptcy, and Mr. Hennis acquired the Gold King Mine.

Gold King Mine Reclamation Activities

319. The Gold King Mine operated under a mining permit in 1986. The permit required that at the end of mining activities, the mining company close all four mine portals, and a bond was held to ensure that would be done.

320. After Gold King Corp. discontinued operating the water treatment facility and filed for bankruptcy, the Colorado Division of Reclamation, Mining and Safety (“DRMS”) imposed forfeiture of the bond and used it to fund reclamation work at the Gold King Mine site.

321. In 2007, increased wastewater flow from the Gold King Mine Level 7 Adit caused a slope failure and landslide at the adit’s waste-rock dump. The debris blocked the entrance to the adit.

322. DRMS’s Project Summary expressed concern that water could build up behind the collapsed material at that adit and eventually result in a blowout. There was also concern about additional instability of the waste-rock dump.

323. In 2009, DRMS unsuccessfully attempted to penetrate the debris blocking the adit with an observation pipe. DRMS’ efforts to close the adit did not provide adequate drainage and had the potential to cause a blowout.

324. In 2014, DRMS requested EPA reopen and stabilize the adit. By that time, the drainage system at the mine portal had not been maintained or monitored since its installation in 2009.

325. EPA began a removal site evaluation to investigate the possibility of opening the collapsed mine portal in 2014, using the services of contractors under EPA Superfund Technical Assessment and Response Team (“START”) and EPA Emergency and Rapid Response Service (“ERRS”) contracts.

326. Defendant Environmental Restoration was the ERRS contractor at the Gold King Mine and Defendant Weston Solutions was the START contractor. Environmental Restoration subcontracted with Defendant Harrison Western for mining services at the Gold King Mine. Harrison Western participated in planning for work to be performed at the Gold King Mine in

2015 and was scheduled to deploy to the mine later in August 2015. Each of the Contractor Defendants had independent authority and control to perform their duties and take the necessary actions to perform their work in a safe and proper manner, to avoid the blowout and its damages.

327. In its ERRS contract task order, EPA identified the following risks at the site:

Conditions may exist that could result in a blow-out of the blockages and cause a release of large volumes of contaminated mine waters and sediment from inside the mine, which contain concentrated heavy metals.

328. EPA further specified that the work was to serve the following purpose:

[R]e-open the Gold King Mine portal and workings to investigate the conditions to assess the on-going releases. This will require the incremental de-watering and removal of such blockages to prevent blowouts.

329. EPA's task order also acknowledged the risk of an unstable increase in the water level inside Gold King Mine when the agency required that its ERRS contractor incrementally dewater and remove blockage so as to prevent blowouts.

330. When EPA and the Contractor Defendants began their excavation work in 2014, they observed that seepage was emerging from the backfill at an elevation about six feet above the adit floor. They presumed water had accumulated behind the blockage.

331. EPA and the Contractor Defendants incorrectly concluded there was six feet of water impounded in the mine because seepage was not occurring higher up on the blockage.

332. EPA and the Contractor Defendants suspended their work until 2015 because they uncovered conditions that required them to plan to treat a greater quantity of water potentially accumulated behind the blockage.

The Blowout

333. On or about July 23, 2015, EPA project leader and lead On Scene Coordinator (“OSC”) Mr. Steven Way placed a phone call to Mr. Michael Gobla at the Bureau of Reclamation (“BOR”). Mr. Way requested that Mr. Gobla conduct a site visit for the Gold King Mine because Mr. Way was “unsure about the plans for the Gold King Mine” and wanted an outside independent review of EPA/DRMS plans by the BOR. Mr. Gobla agreed to conduct a site visit and review on August 14, 2015.

334. Mr. Way, the lead OSC, was on vacation on August 4-5, 2015. He was replaced at the Gold King site by the backup OSC, Mr. Hays Griswold, on those days.

335. On August 4, 2015, EPA, DRMS, Environmental Restoration, and Weston Solutions (“EPA On Site Team”) created a plan to conduct excavation activities at the Level 7 Adit.

336. EPA On Site Team observed contaminated water seeping out at an elevation about five or six feet above the floor of the adit.

337. EPA and the Contractor Defendants assumed this meant that the contaminated water level was below the top of the adit.

338. EPA and the Contractor Defendants also assumed because the mine was draining, it was not under pressure from the contaminated water behind it.

339. Thus, EPA and the Contractor Defendants believed it was not necessary to directly test for the level or volume of contaminated water behind the blockage. EPA On Site Team did not properly investigate or identify the danger at the site.

340. EPA and the Contractor Defendants did not insert a measuring device from a location at a higher elevation from the blockage at the adit to determine the level of contaminated water behind it.

341. EPA and the Contractor Defendants did not take a measurement to determine the pressure of the contaminated water against the blockage at the adit.

342. EPA and the Contractor Defendants did not take precautions to design or install containment measures, including but not limited to a secondary containment system, such as a catch basin of proper size and capability, to prevent an accidental release of large quantities of toxic wastewater from reaching the Animas River.

343. EPA and the Contractor Defendants also did not take the precaution of developing and implementing emergency response procedures in the event of an accidental release of large quantities of toxic wastewater, to prevent those toxic chemicals from reaching the Animas River. EPA and the Contractor Defendants did not provide advance warning to other agencies or municipalities of their work so that they could be prepared for an accident.

344. EPA and the Contractor Defendants were required to develop a Health and Safety Plan that complied with OSHA requirements for hazardous waste site operations in 29 C.F.R. § 1910.120 and with EPA regulations for response actions per 40 C.F.R.

345. § 300.700(c)(5)(i). Their Health and Safety Plan did not comply with these requirements.

346. EPA and the Contractor Defendants were subject to various mandatory laws, regulations, and policies that removed or circumscribed their discretion in carrying out the work at the Gold King Mine site, including but not limited to the Federal Mine Safety and Health Act of 1977 and Title 30, Code of Federal Regulations, Part 75. See 30 U.S.C. § 877(b); 30 C.F.R. §§ 75.372, 75.388(a)(2), 75.1200. Their conduct violated these laws, regulations, and policies.

347. On August 5, 2015, EPA On Site Team performed work at the Level 7 Adit.

348. EPA and the Contractor Defendants did not accurately measure the level, volume, or pressure of the toxic wastewater behind the blockage before EPA On Site Team performed their work on August 5, 2015.

349. Members of EPA On Site Team have given conflicting reports regarding their work. Some believed their objective was to excavate the adit to create an opening. Others believed the objective was to use a backhoe excavator to scratch the earth around the adit.

350. On information and belief, this conflict was caused by miscommunication among EPA and the Contractor Defendants. EPA On Site Team intentionally performed their actions but did not clearly understand their work, or how to safely and properly accomplish the work given the dangers presented by the site.

351. The intentional actions of EPA and Contractor Defendants caused a breach in the adit, resulting in the blowout.

352. These facts and the failures of EPA and the Contractor Defendants to take reasonable and necessary precautions before, during, and after the blowout were wrongful, and did not constitute the performance or the failure to exercise or perform a discretionary function or duty on the part of a federal agency or an employee of the Government. Each of the

Contractor Defendants had an independent duty and the authority to take the necessary actions and to perform their work in a manner to prevent the blowout.

353. The blowout released approximately 3,000,000 gallons of hazardous, toxic orange-brown wastewater into the Animas River.

354. Even after the blowout, the Defendants negligently failed to notify downstream communities in a timely and responsible fashion. While the Release occurred on August 5, EPA incredibly did not inform the Plaintiffs that a toxic plume was advancing in the Animas River for nearly two days.

355. The U.S. Geological Survey estimated the amount of contaminated water released from the Gold King Mine to be more than three million gallons. Subsequent data has revealed that at least 880,000 pounds of metals were released into the Animas River that day.

356. This release caused the metals concentrations in the Animas River to exceed federal and state water quality standards. It is estimated that roughly eighty to ninety percent of this amount remains embedded in the riverbeds upstream of the Plaintiffs and threatens to remobilize during natural runoff, storms, or other events.

357. Defendants owed a duty to the Plaintiffs to conduct, regulate, maintain, and oversee the operations, investigations, and conditions at the Gold King Mine in a reasonable manner and with reasonable care. Failure to exercise reasonable care in these circumstances posed a foreseeable risk of harm to the Plaintiffs downstream.

358. The actions and omissions of Defendants in connection with the August 5 release violated applicable safety and other industry standards for conducting activities under these conditions.

359. The Defendants wantonly and negligently failed to promptly inform downstream jurisdictions about the massive release of toxic, contaminated water headed toward their communities via the Animas River.

360. The Plaintiffs bring this case to hold the Defendants accountable for their negligence and gross negligence. The Plaintiffs are entitled to relief for these harms.

FIRST CLAIM FOR RELIEF

(NEGLIGENCE AND NEGLIGENCE PER SE AGAINST ALL DEFENDANTS)

361. The Plaintiffs incorporate by reference the allegations in all preceding paragraphs of this Complaint as though fully set forth herein.

362. The United States, through its agency EPA, Environmental Restoration, Weston Solutions, Kinross, Kinross Gold U.S.A., and Sunnyside Gold had a duty to oversee, manage, maintain, and regulate the Gold King Mine and Sunnyside Mine with reasonable care. Defendants knew or should have known about the presence and potential for spreading of contamination at Gold King Mine and had a duty to design and plan their tasks, including but not limited to those to oversee, manage, maintain, and regulate the Gold King Mine and Sunnyside Mine with reasonable care. They also had a duty to conduct all investigations and work activities at the mines with reasonable care. This includes, but is not limited to, following reasonable engineering, mining, safety, and other applicable standards in the industry, as well as EPA, National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and OSHA regulations, Federal Statutes and the laws and regulations of the states of Colorado and New Mexico. They also had a duty to take reasonable precautions in case of an accidental release, including but not limited to implementing secondary containment measures and an emergency response plan.

363. Defendants breached these statutes and regulations and their duties of reasonable care, and it was foreseeable that their breaches would cause injury to the Plaintiffs.

364. Defendant United States, through its agent EPA, and the Contractor Defendants additionally breached their duties in the following ways, among others:

- a) Failing to ascertain the level of pressure present behind the collapsed material at the adit before beginning to excavate;
- b) Assuming that the seepage level outside the Gold King Mine indicated the water level inside the mine;
- c) Failing to use excavation methods proven to reduce the likelihood of a blowout, including failing to provide the required support system to stabilize the mine portal prior to excavation, as required by the work plan and by the applicable “Specific excavation requirements” of 29 C.F.R. § 1926.651(i);
- d) Initiating excavation work at the Gold King Mine prior to the arrival of the licensed experts and without otherwise engaging an employee, consultant, or other agent with the requisite level of engineering experience to inspect the Gold King Mine conditions, as required by the “Specific excavation requirements” of 29 C.F.R. § 1926.651(k);
- e) Carelessly overseeing the operation of heavy machinery near the earthen plug in the Gold King Mine in violation of 40 C.F.R. § 300 et seq.;
- f) Commencing work at the Gold King Mine on August 5, 2015 without having the proper water management and treatment equipment in

place, contrary to instructions and the work plan, and contrary to the requirements of the applicable “Specific excavation requirements” of 29 CFR § 1926.651(h);

- g) Neglecting to follow instructions, regulations, and best management practices when carrying out activities at and related to the Gold King Mine;
- h) Failing to comply with the work plan’s provision for “ramping up” to a higher elevation before excavating, as required by 29 C.F.R. § 1910.120(b)(1)(iii);
- i) Failing to have in place an adequate emergency response plan sufficient to guide them in the event of a blowout like the one that occurred on August 5, 2015, as required by 29 C.F.R. § 1910.120(l);
- j) Failing to adequately train workers on-site to deal with expected emergencies like the blowout that occurred on August 5, 2015, as required by 29 C.F.R. § 1910.120(e)(7);
- k) Failing to exercise reasonable care in their immediate efforts to halt or otherwise mitigate the release of the toxic wastewater and other contaminants into Cement Creek; and,
- l) Failing to notify those impacted by the release in a timely and reasonable fashion, as required by 40 C.F.R. § 300.135(j)(1).

365. Under the doctrine elucidated in *Rylands v. Fletcher*, a negligent release of stored water that damages downstream interest holders is actionable and Defendant are prima facie for all damages.

366. Defendants were negligent per se when they violated the laws and regulations of the State of Colorado which include, but are not limited to the following:

- a) 5 CCR 1002-85, Nutrients Management Control Regulation;
- b) 5 CCR 1002-62, Regulations for Effluent Limitations;

367. Defendants were negligent per se when they violated the laws and regulations of the State of New Mexico which include, but are not limited to the following:

- a) NMSA 1978 § 74-4-1 et seq., Hazardous Waste Act.

368. Defendants were negligent per se when they violated the federal laws and regulations of the United States of America which include, but are not limited to the following:

- a) 33 U.S.C. 1311, Effluent limitations.

369. Defendants United States and Environmental Restoration additionally breached their duties by failing to reasonably screen and select contractors and sub-contractors with the experience and expertise necessary to safely excavate the Gold King Mine portal, and by excavating prior to the arrival of the Harrison Western with such experience and expertise.

370. Defendants Kinross, Kinross USA, and Sunnyside Gold, through their employees and agents, additionally breached their duties in the following ways, among others:

- a) Bulkheading the Sunnyside Mine and American Tunnel without regard for dangerous conditions that they knew or should have known would result at the nearby Gold King Mine, including but not limited to the increased flow of contaminated water and the buildup of pressure behind the adit;
- b) Failing to open the Sunnyside and American Tunnel bulkheads to relieve flooding in adjacent mines; and

c) Failing to treat discharges from the American Tunnel.

371. Defendants acted together to create the conditions that harmed the Plaintiffs and are jointly and severally liable for the harm caused by their tortious conduct. Each of the Defendants' unlawful acts and omissions have directly, foreseeably, and proximately caused, and continue to cause, injury to the Plaintiffs in an amount to be determined at trial.

SECOND CLAIM FOR RELIEF

(GROSS NEGLIGENCE AGAINST UNITED STATES, ENVIRONMENTAL RESTORATION, WESTON SOLUTIONS, KINROSS, KINROSS USA, AND SUNNYSIDE GOLD)

372. The Plaintiffs incorporates by reference the allegations in all preceding paragraphs of this Complaint as though fully set forth herein.

373. The actions of the United States, through its agency EPA, Environmental Restoration, Weston Solutions, Kinross, Kinross USA, and Sunnyside Gold were grossly negligent, meaning their actions constituted reckless, wanton, and willful misconduct.

374. Defendants Kinross, Kinross USA, and Sunnyside Gold recklessly disregarded the known potential impact on downstream communities when they made decisions to bulkhead the American Tunnel and Sunnyside Mine.

375. Defendants Kinross, Kinross USA, and Sunnyside Gold sought to avoid all responsibility for treating the highly contaminated water created by their own reckless conduct, indifferent to the known potentially devastating impact this conduct could have on downstream communities.

376. Defendant United States, through its agent EPA, and Defendants Environmental Restoration and Weston Solutions blatantly disregarded known pressurized conditions at the Gold King Mine site and conducted activities on-site in a reckless manner indifferent to the likely impact on downstream communities.

377. Defendants acted together to create these conditions and are jointly and severally liable for the harm caused by their tortious conduct. Each of the Defendants' unlawful acts and omissions have directly, foreseeably, and proximately caused, and continue to cause, injury to the Plaintiffs in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiffs request that this Court enter an order and judgment:

1) Against Defendants Environmental Restoration, Weston Solutions, Sunnyside Gold, Harrison Western, San Juan Corp., Salem Minerals, Kinross, and Kinross USA, for compensatory and consequential damages for injuries directly and proximately caused by Defendants' conduct, as described herein, in an amount to be determined at trial;

2) Against Defendant United States for compensatory and consequential damages for injuries directly and proximately caused by its conduct through its agent, USEPA, as described herein, in an amount to be determined at trial;

3) Against Defendants Environmental Restoration, Weston Solutions, Sunnyside Gold, Harrison Western, San Juan Corp., Salem Minerals, Kinross, and Kinross USA for pre-judgment and post-judgement interest and punitive damages, to the extent not prohibited by law; and,

4) Against all Defendants, for attorneys' fees, costs, and expenses, and such other and further relief as the Court may deem just and equitable.

Respectfully Submitted,

EGOLF + FERLIC + HARWOOD, LLC

By: /Kate Ferlic

Kate Ferlic

Brian Egolf

123 W. San Francisco St., Second Floor

Santa Fe, NM 87501

(505) 986-9641

Kate@EgolfLaw.com

Brian@EgolfLaw.com

Attorneys for Plaintiffs